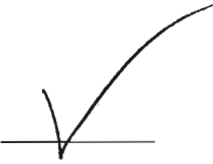


IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

FILED  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
2006 AUG 30 AM 10:02


KEVIN C. BRATHWAITE, )  
 )  
Petitioner, )  
 )  
v. ) Civil Action No. 06-472-GMS  
 )  
THOMAS CARROLL, )  
Warden, and CARL C. )  
DANBERG, Attorney )  
General of the State of )  
Delaware, )  
 )  
Respondents. )

**AEDPA ELECTION FORM**

1.  I wish the Court to rule on my § 2254 petition as currently pending. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Third Circuit; therefore, this petition will be my one opportunity to seek federal habeas corpus relief.
2. \_\_\_\_\_ I wish to amend my § 2254 petition to include all the grounds I have. I will do so within thirty (30) days. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Third Circuit; therefore, this amended all-inclusive petition will be my one opportunity to seek federal habeas corpus relief.
3. \_\_\_\_\_ I wish to withdraw my § 2254 petition

without prejudice to file one all-inclusive petition in the future; that is, one that raises all the grounds I have for federal habeas corpus relief. I realize this all-inclusive petition must be filed within the one-year period as defined by 28 U.S.C. § 2244(d). See Swartz v. Meyers, 204 F.3d 417 (3d Cir. 2000).

4. \_\_\_\_\_ I am not seeking federal habeas corpus relief under § 2254. I am instead seeking relief under \_\_\_\_\_.

  
\_\_\_\_\_  
Petitioner

I/M Kevin C. Brathwaite

SBI# 315294 UNIT \_\_\_\_\_

DELAWARE CORRECTIONAL CENTER

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SMYRNA, DELAWARE 19977


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23 AUG 2006



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